

1 **R277. Education, Administration.**

2 **R277-705. Secondary School Completion and Diplomas.**

3 **R277-705-1. Definitions.**

4 In addition to terms defined in Section 53A-1-602:

5 A. "Accredited" means evaluated and approved under the
6 Standards for Accreditation of the Northwest Association of
7 Accredited Schools or the accreditation standards of the
8 Board, available from the Utah State Office of Education
9 Accreditation Specialist.

10 B. "Board" means the Utah State Board of Education.

11 C. "Criterion-referenced test (CRT)" means a test to
12 measure performance against a specific standard. The meaning
13 of the scores is not tied to the performance of other
14 students.

15 D. "Cut score" means the minimum score a student must
16 attain for each subtest to pass the UBSCT.

17 E. "Demonstrated competence" means subject mastery as
18 determined by school district standards and review. School
19 district review may include such methods and documentation as:
20 tests, interviews, peer evaluations, writing samples, reports
21 or portfolios.

22 F. "Diploma" means an official document awarded by a
23 public school district or high school consistent with state
24 and school district graduation requirements and the provisions
25 of this rule.

26 G. "Individualized Education Program (IEP)" means a
27 written statement for a student with a disability that is
28 developed, reviewed, and revised in accordance with the Utah
29 Special Education Rules and Part B of the Individuals with
30 Disabilities Education Act (IDEA).

31 H. "Military child or children" means a K-12 public
32 education student whose parent(s) or legal guardian(s)
33 satisfies the definition of Section 53A-11-1401.

34 I. "Secondary school" means grades 7-12 in whatever kind

of school the grade levels exist.

J. "Section 504 Plan" means a written statement of reasonable accommodations for a student with a qualifying disability that is developed, reviewed, and revised in accordance with Section 504 of the Rehabilitation Act of 1973.

K. "Special purpose schools" means schools designated by regional accrediting agencies, such as Northwest. These schools typically serve a specific population such as students with disabilities, youth in custody, or schools with specific curricular emphasis. Their courses and curricula are designed to serve their specific populations and may be modified from traditional programs.

L. "Supplemental education provider" means a private school or educational service provider which may or may not be accredited, that provides courses or services similar to public school courses/classes.

M. "Transcript" means an official document or record(s) generated by one or several schools which includes, at a minimum: the courses in which a secondary student was enrolled, grades and units of credit earned, UBSCT scores and dates of testing if applicable, citizenship and attendance records. The transcript is usually one part of the student's permanent or cumulative file which also may include birth certificate, immunization records and other information as determined by the school in possession of the record.

~~[N. "Utah Performance Assessment System for Students (U-PASS)" means:~~

~~—— (1) systematic norm-referenced achievement testing of all students in grades 3, 5, and 8 required by this part in all schools within each school district by means of tests designated by the Board;~~

~~—— (1) criterion-referenced achievement testing of students in all grade levels in basic skills courses;~~

~~—— (2) direct writing assessments in grades 5 and 8; and~~

69 ~~_____ (3) beginning with the 2003-2004 school year, a tenth~~
70 ~~grade basic skills competency test as detailed in Section 53A-~~
71 ~~1-611.]~~

72 N. "Utah Performance Assessment System for Students (U-
73 PASS)" means:

74 (1) criterion-referenced achievement testing of students
75 in all grade levels in:

76 (a) language arts (grades 3-11);

77 (b) mathematics (grades 3-7) and pre-algebra, elementary
78 Algebra 1, Algebra 2 and geometry;

79 (c) science (grades 4-8) and earth systems, biology,
80 chemistry, and physics; and

81 (2) an online direct writing assessment in grades 5 and
82 8;

83 (3) a tenth grade basic skills competency test as
84 detailed in Section 53A-1-611 (suspended through at least the
85 2011-2012 school year); and

86 (4) the use of student behavior indicators in assessing
87 student performance.

88 (5) The U-PASS Performance Report is suspended through at
89 least the 2011-2012 school year.

90 O. "Unit of credit" means credit awarded for courses
91 taken consistent with this rule or upon school district/school
92 authorization or for mastery demonstrated by approved methods.

93 P. "Utah Alternative Assessment (UAA)" means an
94 assessment instrument for students in special education with
95 disabilities so severe they are not able to participate in the
96 components of U-PASS even with testing accommodations or
97 modifications. The UAA measures progress on instructional
98 goals and objectives in the student's individual education
99 program (IEP).

100 Q. "Utah Basic Skills Competency Test (UBSCT)" means a
101 test to be administered to Utah students beginning in the
102 tenth grade (suspended through at least the 2011-2012 school

year) to include at a minimum components on English, language arts, reading and mathematics. Utah students shall satisfy the requirements of the UBSCT in addition to state and school district graduation requirements prior to receiving a high school diploma indicating a passing score on all UBSCT subtests, for applicable school years.

R. "UBSCT Advisory Committee" means a committee that is advisory to the Board with membership appointed by the Board, including appropriate representation of special populations from the following:

- (1) parents;
- (2) high school principal(s);
- (3) high school teacher(s);
- (4) school district superintendent(s);
- (5) Coalition of Minorities Advisory Committee;
- (6) Utah State Office of Education staff;
- (7) local school board(s);
- (8) higher education.

R277-705-2. Authority and Purpose.

A. This rule is authorized by Article X, Section 3 of the Utah Constitution, which places general control and supervision of the public schools under the Board; Section 53A-1-402(1)(b) and (c) which direct the Board to make rules regarding competency levels, graduation requirements, curriculum, and instruction requirements; Sections 53A-1-603 through 53A-1-611 which direct the Board to adopt rules for the conduct and administration of U-PASS; and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to provide consistent definitions, provide alternative methods for students to earn and schools to award credit, and to provide rules and procedures for the assessment of all students as required by

136 law[, and to provide for differentiated diplomas or
137 certificates of completion consistent with state law].

138 **R277-705-3. Required School District Policy Explaining**
139 **Student Credit.**

140 A. All Utah school districts or schools and charter
141 schools shall have a policy, approved in an open meeting by
142 the governing board, explaining the process and standards for
143 acceptance and reciprocity of credits earned by students in
144 accordance with Utah state law. Policies shall provide for
145 specific and adequate notice to students and parents of all
146 policy requirements and limitations.

147 B. School districts and schools shall adhere to the
148 following standards for credits or coursework from schools,
149 supplemental education providers accredited by the Northwest
150 Association of Accredited Schools, and accredited distance
151 learning schools:

152 (1) Public schools shall accept credits and grades
153 awarded to students from schools or providers accredited by
154 the Northwest Association of Accredited Schools or approved by
155 the Board without alteration.

156 (2) School district or school policies may establish
157 reasonable timelines and may require adequate and timely
158 documentation of authenticity for credits and grades
159 submitted.

160 C. School district or school policies shall provide
161 various methods for students to earn credit from
162 non-accredited sources, course work or education providers.
163 Methods, as designated by the school district or school may
164 include:

165 (1) Satisfaction of coursework by demonstrated
166 competency, as evaluated at the school district or school
167 level;

168 (2) Assessment as proctored and determined at the school

or school level;

(3) Review of student work or projects by school or school district administrators; and

(4) Satisfaction of electronic or correspondence coursework, as approved at the school or school district level.

D. Schools/school districts may require documentation of compliance with Section 53A-11-102 prior to reviewing student home school or competency work, assessment or materials.

E. School/school district policies for participation in extracurricular activities, awards, recognitions, and enhanced diplomas may be determined locally consistent with the law and this rule.

F. A school district or school has the final decision-making authority for the awarding of credit and grades from non-accredited sources consistent with state law, due process, and this rule.

R277-705-4. Diplomas and Certificates of Completion.

A. School districts or schools shall award diplomas and certificates of completion.

B. ~~[School districts or schools [shall]may offer differentiated diplomas to secondary school students and adults to]~~ Differentiated diplomas that reference the UBSCT before the 2010-2011 school year and after the 2012-2013 school year shall include:

(1) a high school diploma indicating on the diploma that a student successfully completed all state and school district course requirements for graduation and passed all subtests of the UBSCT.

(2) a high school diploma indicating on the diploma that a student did not receive a passing score on all UBSCT subtests; the student shall have:

(a) met all state and school district course requirements

202 for graduation; and

203 (b) beginning with the graduating class of 2007,
204 participated in UBSCT remediation consistent with school
205 district or school policies and opportunities; and

206 (c) provided documentation of at least three attempts to
207 take and pass all subtests of the UBSCT unless:

208 (i) the student took all subtests of the UBSCT offered
209 while the student was enrolled in Utah schools; or

210 (ii) a student's IEP team has determined that the
211 student's participation in statewide assessment is through the
212 UAA.

213 [E]B. School districts or schools shall establish
214 criteria for students to earn a certificate of completion that
215 may be awarded to students who have completed their senior
216 year, are exiting the school system, and have not met all
217 state or school district requirements for a diploma.

218 **R277-705-5. Students with Disabilities.**

219 A. A student with disabilities served by special
220 education programs shall satisfy high school completion or
221 graduation criteria, consistent with state and federal law and
222 the student's IEP.

223 B. A student may be awarded a certificate of completion
224 or a differentiated diploma, consistent with state and federal
225 law and the student's IEP or Section 504 Plan.

226 **R277-705-6. Adult Education Students.**

227 A. Students who are officially enrolled in a school
228 district as adult education students shall not be required to
229 have attempted or passed the UBSCT in order to qualify for an
230 adult education diploma.

231 B. Adult education students are eligible only for an
232 adult education secondary diploma.

233 C. ~~[After the 2006-2007 school year,]~~ An adult education

234 diplomas cannot be upgraded or changed to traditional, high
235 school-specific diplomas.

236 D. School districts shall establish policies:

237 (1) allowing or disallowing adult education student
238 participation in graduation activities or ceremonies.

239 ~~[(2) allowing or disallowing adult education students~~
240 ~~from attempting the UBSCT.~~

241 ~~— (3) providing for wording, on adult education diplomas,~~
242 ~~including allowing or disallowing adult education diplomas to~~
243 ~~state that student did or did not pass UBSCT.]~~

244 ([4]2) establishing timelines and criteria for satisfying
245 adult education graduation/diploma requirements.

246 **R277-705-7. Utah Basic Skills Competency Testing Requirements**
247 **and Procedures. (Suspended through at least the 2011-2012**
248 **school year consistent with Section 53A-1-611(6)(b))**

249 A. All Utah public school students shall participate in
250 Utah Basic Skills Competency testing, unless exempted
251 consistent with R277-705-11, and unless alternate assessment
252 is designated in accordance with federal law or regulations or
253 state law.

254 B. Timeline:

255 (1) Beginning with students in the graduating class of
256 2006, UBSCT requirements shall apply.

257 (2) No student may take any subtest of the UBSCT before
258 the tenth grade year.

259 (3) Tenth graders should first take the test in the
260 second half of their tenth grade year.

261 (4) Exceptions may be made to this timeline with
262 documentation of compelling circumstances and upon review by
263 the school principal and Utah State Office of Education
264 assessment staff.

265 C. UBSCT components, scoring and consequences:

266 (1) UBSCT consists of subtests in reading, writing and

267 mathematics.

268 (2) Students who reach the established cut score for any
269 subtest in any administration of the assessment have passed
270 that subtest.

271 (3) Students shall pass all subtests to qualify for a
272 high school diploma indicating a passing score on all UBSCT
273 subtests unless they qualify under one of the exceptions of
274 state law or this rule such as R277-705-7D.

275 (4) Students who do not reach the established cut score
276 for any subtest shall have multiple additional opportunities
277 to retake the subtest.

278 (5) Students who have not passed all subtests of the
279 UBSCT by the end of their senior year may receive a diploma
280 indicating that a student did not receive a passing score on
281 all UBSCT subtests or a certificate of completion.

282 (6) Specific testing dates shall be calendared and
283 published at least two years in advance by the Board.

284 D. Reciprocity and new seniors:

285 (1) Students who transfer from out of state to a Utah
286 high school after the tenth grade year may be granted
287 reciprocity for high school graduation exams taken and passed
288 in other states or countries based on criteria set by the
289 Board and applied by the local board.

290 (2) Students for whom reciprocity is not granted and
291 students from other states or countries that do not have high
292 school graduation exams shall be required to pass the UBSCT
293 before receiving a high school diploma indicating a passing
294 score on all UBSCT subtests if they enter the system before
295 the final administration of the test in the student's senior
296 year.

297 (3) The UBSCT Advisory Committee following review of
298 applicable documentation shall recommend to the Board the type
299 of diploma that a student entering a Utah high school in the
300 student's senior year after the final administration of the

301 UBSCT may receive.

302 E. Testing eligibility:

303 (1) Building principals shall certify that all students
304 taking the test in any administration are qualified to be
305 tested.

306 (2) Students are qualified if they:

307 (a) are enrolled in tenth grade, eleventh, or twelfth
308 grade (or equivalent designation in adult education) in a Utah
309 public school program; or

310 (b) are enrolled in a Utah private/parochial school (with
311 documentation) and are least 15 years old or enrolled at the
312 appropriate grade level; or

313 (c) are home schooled (with documentation required under
314 Section 53A-11-102) and are at least 15 years old; and

315 (3) Students eligible for accommodations, assistive
316 devices, or other special conditions during testing shall
317 submit appropriate documentation at the test site.

318 F. Testing procedures:

319 (1) Three subtests make up the UBSCT: reading, writing,
320 and mathematics. Each subtest may be given on a separate day.

321 (2) The same subtest shall be given to all students on
322 the same day, as established by the Board.

323 (3) All sections of a subtest shall be completed in a
324 single day.

325 (4) Subtests are not timed. Students shall be given the
326 time necessary within the designated test day to attempt to
327 answer every question on each section of the subtest.

328 (5) Makeup opportunities shall be provided to students
329 for the UBSCT according to the following:

330 (a) Students shall be allowed to participate in makeup
331 tests if they were not present for the entire UBSCT or
332 subtest(s) of the UBSCT.

333 (b) School districts shall determine acceptable reasons
334 for student makeup eligibility which may include absence due

335 to illness, absence due to family emergency, or absence due to
336 death of family member or close friend.

337 (c) School districts shall provide a makeup window not to
338 exceed five school days immediately following the last day of
339 each administration of the UBSCT.

340 (d) School districts shall determine and notify parents
341 in an appropriate and timely manner of dates, times, and sites
342 of makeup opportunities for the UBSCT.

343 (6) Arrangements for extraordinary circumstances or
344 exceptions to R277-705-5 shall be reviewed and decided by the
345 UBSCT Advisory Committee on a case-by-case basis consistent
346 with the purposes of this rule and enabling legislation.

347 (7) School districts/schools shall allow appropriate
348 exams to substitute for UBSCT attempts or successful
349 completion of UBSCT for military children consistent with
350 Section 53A-11-1404(2).

351 (8) The graduating classes of 2011, 2012, 2013, and 2014
352 shall be exempt from the UBSCT requirement of Sections 53A-1-
353 603(1)(b) and 53A-11-1404.

354 **R277-705-8. Security and Accountability.**

355 A. Building principals shall be responsible to secure and
356 return completed tests consistent with Utah State Office of
357 Education timelines.

358 B. School district testing directors shall account for
359 all materials used, unused and returned.

360 C. Results shall be returned to students and
361 parents/guardians no later than eight weeks following the
362 administration of each test.

363 D. Appeals for failure to pass the UBSCT due to
364 extraordinary circumstances:

365 (1) If a student or parent has good reason to believe,
366 including documentation, that a testing irregularity or
367 inaccuracy in scoring prevented a student from passing the

UBSCT, the student or parent may appeal to the local board within 60 days of receipt of the test results.

(2) The local board shall consider the appeal and render a decision in a timely manner.

(3) The parent or student may appeal the local board's decision through the UBSCT Advisory Committee, under rules adopted by the Board.

(4) Appeals under this section are limited to the criteria of R277-705-8D(1).

R277-705-9. ~~[Designation of]~~ Differentiated Diplomas and Certificates of Completion.

A. School districts and charter schools may issue differentiated diplomas.

B. The requirement for differentiated diplomas under the UBSCT shall be suspended through at least the 2011-2012 school year.

~~[A]~~C. As provided under Section 53A-1-611(2)(d), school districts or schools shall designate in express language at least the following types of diplomas or certificates:

(1) High School Diploma indicating a passing score on all UBSCT subtests.

(2) High School Diploma indicating that a student did not receive a passing score on all UBSCT subtests.

(3) Certificate of Completion.

(4) High school diploma indicating student achievement on assessments for school districts and charter schools exempted from UBSCT consistent with R277-705-11.

~~[B]~~D. The designation of a differentiated diploma ~~[shall]~~may be made on the face of the diploma or certificate of completion provided to students.

R277-705-10. Student Rights and Responsibilities Related to Graduation, Transcripts and Receipt of Diplomas.

400 A. School districts shall supervise the granting of
401 credit and awarding of diplomas, but may delegate the
402 responsibility to schools within the school district.

403 B. A school district or school may determine criteria for
404 a student's participation in graduation activities, honors,
405 and exercises, independent of a student's receipt of a diploma
406 or certificate of completion.

407 C. Diplomas or certificates, credit or unofficial
408 transcripts may not be withheld from students for nonpayment
409 of school fees.

410 D. School districts or schools shall establish consistent
411 timelines for all students for completion of graduation
412 requirements. Timelines shall be consistent with state law
413 and this rule.

414 E. School districts/charter schools shall work with
415 enrolled military children to evaluate the students'
416 coursework or to assist students in completing coursework to
417 allow military children to graduate with the students' age-
418 appropriate graduating class consistent with Section 53A-11-
419 1404.

420 F. Consistent with Section 53A-11-1404(3), if a Utah
421 school is unable to facilitate a military child's receipt of
422 diploma by evaluating coursework in Utah schools and previous
423 schools attended, the Utah school shall contact the military
424 child's previous local education agency and aid, to the extent
425 possible, the receipt of a diploma.

426 G. Graduation or U-PASS requirements are not retroactive.

427 **R277-705-11. Student Achievement Testing Exceptions.**

428 A. The Board may exempt a school district or charter
429 school from U-PASS testing requirements if a school district
430 or charter school pilots an assessment system that
431 incorporates:

432 (1) online classroom-based assessment that utilizes

adaptive testing in all grades;
(2) online writing assessment in grades 4 through 12;
(3) assessments administered in grades 8, 10, and 11;
(4) college placement assessments in grades 11 to provide
information for 12th grade high school course selections; and
(5) is subject to an accountability plan and high school
graduation standards that are based on the assessment system
described in R277-705-11A(1), (2), (3), and (4) above and
developed and adopted by the Board.

B. Exemptions may not exceed three rural school
districts, two urban school districts, and five charter
schools.

C. Exemptions may not continue beyond July 1, 2010.

D. Students moving from an exempted school district or
charter school to a nonexempted school district or charter
school, or students moving from a nonexempted school district
or charter school to an exempted school district or charter
school during their 11th or 12th grade year may receive a
diploma based on the requirements of their previous or new
school district as determined by the parents and school
administrators of the school they attend at the time of
graduation.

KEY: curricula

**Date of Enactment or Last Substantive Amendment: [~~August 7,~~
~~2009~~]2010**

Notice of Continuation: February 2, 2007

**Authorizing, and Implemented or Interpreted Law: Art X Sec 3;
53A-1-402(1)(b); 53A-1-603 through 53A-1-611; 53A-1-401(3)**